

starving were required, that it should be kept before pigs at all times to prevent reinfestation; that it was the only worm expeller on the market successfully fed in self-feeders; that chicks should be wormed when they are 8 weeks old, that 1 pound of the article should be used with every 100 pounds of Acme Growing Mash; that the birds should be kept confined in a separate house during treatment so that they could not pollute the yard with worm eggs and thus infest the other flocks; that if the birds are wormed too late the worms have a chance to develop and mature their eggs which would pass out and reinfest the birds before they recover from the first worming; that it should be used as a general worm treatment for laying flocks and if the flock is extremely wormy; that it would be efficacious for sheep and lambs that are in bad or unthrifty condition; that they should have free access to the article and that it would help to prevent scours and bloat; that a handful three times a day should be given to horses and colts until the worms were expelled and thereafter a handful should be given each day to keep the horses in good condition; and that it would be efficacious to remove the cause and would expel and prevent free intestinal worms and 90 percent of disease, which representations were false and misleading.

On March 12, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

209. Misbranding of Dry Dip. U. S. v. Fourteen 25-Pound Pails of Dry Dip. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1131. Sample No. 55889-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On January 2, 1940, the United States attorney for the Northern District of Illinois filed a libel against fourteen 25-pound pails of "A Remedy Erroneously Sometimes Called Dry Dip" at Sterling, Ill., alleging that the article was transported in interstate commerce on or about August 18, 1939, by the German Laboratories from Cedar Rapids, Iowa; and charging that it was misbranded.

Analysis showed that it consisted chiefly of calcium carbonate and iron compounds, containing creosote oil, phenols, and small amounts of nicotine, naphthalene, and siliceous material.

The article was alleged to be misbranded in that representations in the labeling that it was a remedy for combating flu germs in livestock; that when the hogs rake their bedding together they pile up, that then the inner hog gets too warm and goes outside to eat and catches cold, and that flu thus develops; that if the remedy were sprinkled in the hog bedding they would not pile up, and that it was an efficacious flu remedy for hogs, horses, cattle and poultry, were false and misleading, since it would not act as an effective remedy for combating flu germs in livestock or in poultry when used as directed.

The article also was alleged to be misbranded under the Insecticide Act of 1910, as reported in notices of judgment published under that act.

On June 3, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

210. Misbranding of Koxy-Ton. U. S. v. Five 1-Gallon Containers, 10 Half-Gallon Containers, and 3 One-Fourth Gallon Containers of Koxy-Ton. Default decree of condemnation and destruction. (F. D. C. No. 1761. Sample No. 5893-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the treatment of the conditions indicated below.

On April 12, 1940, the United States attorney for the Southern District of Indiana filed a libel (amended June 7, 1940) against the above quantities of Koxy-Ton at Sullivan, Ind., alleging that the article had been shipped in interstate commerce on or about June 10, 1939, by the Kilz-Jerm Laboratory from West Toledo, Ohio; and charging that it was misbranded.

Analysis showed that the article consisted essentially of magnesium sulfate, catechu, acetic acid, and water.

The article was alleged to be misbranded in that its labeling bore representations that it constituted a properly balanced product for use in the prevention and treatment of coccidiosis in poultry; that coccidiosis may occur at any time when chicks are 1 week to 4 months old or may be found in chronic form in older birds; that the product should be fed at regular intervals each week according to directions as a preventative and that a careful program might

save many dollars already invested in chicks and feed; that special care should be taken during treatment that no other source of drinking water be available as this would reduce the amount of the drug the birds would drink and best results would not be obtained; that one tablespoonful of the product to each gallon of drinking water should be given 2 or 3 days each week as a preventive; that where coccidiosis is suspected or active one or two ounces of the product to each gallon of drinking water should be administered until all symptoms of disease are gone; that then directions for prevention should be followed to help avoid a reinfestation; that where coccidiosis in chronic form is suspected 1 ounce of the product should be used to each gallon of drinking water, 2 or 3 days each week and that for turkeys the same proportion should be used as for chickens, which representations were false and misleading since the article was not efficacious for the purposes so recommended.

On June 29, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

211. Misbranding of Luseaux Duo-Purpose Flock Treatment and Luseaux Duo-Purpose Tablets. U. S. v. 9 Packages and 14 Packages of Luseaux Duo-Purpose Flock Treatment, et al. Default decree of condemnation and destruction. (F. D. C. Nos. 462, 463, 464. Sample Nos. 57071-D, 57072-D, 64420-D.)

The labeling of these products bore false and misleading representations regarding their efficacy in the conditions indicated hereinafter.

On August 22, 1939, the United States attorney for the Western District of Washington filed a libel against 82 packages of the above-named products at Bothell, Wash., alleging that the articles had been shipped in interstate commerce by Luseaux Laboratories in part on or about November 25, 1938, from Los Angeles, Calif., and in part on or about May 10, 1939, from Gardena, Calif.; and charging that they were misbranded.

Analysis showed that the articles were of substantially the same composition and consisted essentially of nicotine alkaloid, copper oxide, copper carbonate, and kamala, with inert ingredients.

The articles were alleged to be misbranded in that representations that they were efficacious as treatments for common tapeworms, were efficacious for the treatment and control of both tapeworms and roundworms in poultry, that tapeworm control is not as easy as giving a single treatment, that regular and systematic combating is imperative when tapeworms are known to infest birds, their houses, and runs and that portion of the design consisting of segmented tapeworms, appearing in the labeling of both products and the representation that it is impossible with a single treatment to dislodge all attached tapeworm heads in the labeling of the Flock Treatment, were false and misleading.

On March 25, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

212. Misbranding of Pratt's Hog Powder. U. S. v. Forty-six 3-Pound Packages and Thirty-four 7-Pound Packages of Pratt's Hog Powder. Default decree of condemnation and destruction. (F. D. C. No. 1364. Sample No. 78453-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On or about January 20, 1940, the United States attorney for the Western District of Virginia filed a libel against the above-named quantities of Pratt's Hog Powder at Harrisonburg, Va., consigned by the Pratt Food Co., Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about November 1, 1939, from Philadelphia, Pa.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of dried sodium sulfate (dried Glauber's salt, approximately 62 percent), bone meal, charcoal (approximately 10 percent), sulfur (approximately 9.5 percent), small proportions of American wormseed, a trace of quassia, iron sulfate (approximately 2.3 percent), and small amounts of copper, manganese, and iodine compounds. In addition, the product in the 3-pound packages contained traces (less than 0.001 percent each) of nickel and cobalt compounds.

Misbranding was alleged in that the package bore representations that the article should be used in the treatment of worms twice a month by forced feeding and that it would help expel many large roundworms, which representations were false and misleading in that the article would not be efficacious for such purposes.

On March 25, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.